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**Early Learning & Children's Services**  
**Committee**

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**HB 3042**

**Brief Description:** Regarding the renewal and regulation of licenses issued by the department of early learning.

**Sponsors:** Representative Seaquist.

**Brief Summary of Bill**

- Requires the Department of Early Learning to develop recommendations for implementing a continuing license and weighted regulations for child care centers and family home child care providers.

**Hearing Date:** 1/28/10

**Staff:** Sydney Forrester (786-7120).

**Background:**

Child Care Licensing.

The Department of Early Learning (DEL) licenses child care centers and family home child care providers. Licenses are issued for a three-year period. Licensure includes the completion of multiple pages of documentation relating to the facility, including but not limited to health and safety standards. Licensure, as well as re-licensure, requires completion of background rechecks on the licensee and all employees or persons having access to the children while care is being provided.

As part of its licensing duties, the DEL conducts a monitoring visit once a year for child care centers, and once every 18 months for family homes. If a complaint is received about the licensed facility, the DEL also may conduct a monitoring visit as part of its response, depending on the nature of the violation or complaint.

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Monitoring visits include completing a brief checklist relating to:

- posting of the license and other notices;
- record keeping;
- medication storage, first-aid, and staff CPR training;
- general safety and sanitation;
- staffing levels and interactions with children; and
- program activities and routines.

### Weighted Licensing Regulations.

Weighted regulations (sometimes called weighted WACs) means that individual regulations are given a weighted value corresponding to the risk presented if the regulation is violated. In the context of child care licensing, a highly-rated regulation reflects that the regulation implicates a relatively greater risk to the child's health, safety, or well-being.

There currently is no model or evidence-based framework available in the nation for assigning weight to individual regulations. The initial research into this area is decades old and was a meta-analysis of health and safety literature relating to children and child care settings. That research assigned the same weight to 13 different areas found to be vital in quality care 30 years ago.

### **Summary of Bill:**

The DEL is required to develop recommendations for the implementation of a continuing child care license. The recommendations are due to the Legislature by December 1, 2010, and must include the following elements:

- a description of tasks and resources necessary to streamline the administrative paperwork used for license renewal and focus licensing resources toward timely on-site inspections, investigation of complaints, and other enforcement activities;
- an appropriate schedule for on-site inspections to adequately monitor compliance with licensing standards;
- a method for licensors to access the complete history of a licensed facility, including but not limited to results of previous monitoring inspections, and any complaints or compliance agreements, when conducting on-site inspections;
- a strategy for assuring all required background checks are completed on schedule and that documentation of the results of those checks is correctly filed and accessible to licensors; and
- a process for tracking the timeliness of on-site inspections to monitor compliance with licensing standards.

The DEL also is required to prepare recommendations for developing weighted regulations for child care licensing and report back to the Legislature by February 1, 2011. The report must reflect appropriate use of any available risk-modeling data being developed by other states, and describe:

- resources and tasks necessary for collecting and analyzing data needed to establish an evidence-based framework for risk modeling and conduct a comorbidity analysis;

- options, including funding needed, for acquiring the technology necessary to develop and periodically evaluate the effectiveness and appropriateness of weighted rules;
- preliminary estimates of administrative and operational efficiencies that could be achieved from one or more licensing technology solutions;
- appropriate processes for the inclusion of the child care community, including parents and providers, in the development and use of weighted rules; and
- training and communication strategies necessary to safely shift the entire licensed child care system, including family home, center-based, and after-school providers, to a weighted rule system.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.